

DISTRICT COURT OF GUAM
TERRITORY OF GUAM

LUTHER B. MATTHEWS,
Plaintiff,

v.

THE GENERAL COUNSEL
SOCIAL SECURITY ADMINISTRATION
ROOM 617 ALTMAYER BUILDING
6401 SECURITY BOULEVARD
BALTIMORE, MD 21235,
Defendant.

Civil Case No. 04-00015

ORDER

This matter is before the Court on the plaintiff's complaint filed on March 18, 2004. A district court may review the complaint and dismiss *sua sponte* those claims premised on meritless legal theories or clearly lacking any factual basis. Denton v. Hernandez, 112 S. Ct. 1728, 1730-31 (1992). *Pro se* pleadings must be liberally construed, however. Balistreri v. Pacifica Police Dep't, 901 F.2d 696, 699 (9th Cir. 1990). Upon a liberal review of the plaintiffs' filing, the Court is strained to find any legal or factual basis supporting the plaintiff's claims. The pleading is unintelligible and does not make any sense. "District courts have the authority to dismiss complaints founded on 'wholly fanciful' factual allegations for lack of subject matter jurisdiction." See Franklin v. Murphy, 745 F2 1221, 1228 (9th Cir. 1984). Here is such an instance. Accordingly, the

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1 the complaint is DISMISSED without prejudice. The plaintiff is given leave to amend his complaint
2 to allege facts for which relief can be granted.

3 IT IS SO ORDERED, this 11th day of May, 2004.

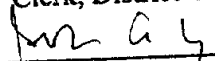
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6 FRANCES M. TYDINGCO-GATEWOOD
7 Designated District Judge
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23 Notice is hereby given that this document was
24 entered on the docket on MAY 12 2004.
25 No separate notice of entry on the docket will
be issued by this Court.

Mary L. M. Moran

Clerk, District Court of Guam

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27 By:  MAY 12 2004
28 Deputy Clerk Date